

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI**

**Company Appeal (AT) (Insolvency) No. 943 of 2020**

**In the matter of:**

**Pitti Coal Company**

**....Appellant**

**Vs.**

**Mahalaxmi Continental Ltd. & Ors.**

**....Respondents**

**Present:**

**Appellant: Mr. Ashish Chauhan, Mr. Kushagra Bansal, Advocates.**

**ORDER**

**(Through Virtual Mode)**

**03.11.2020:** The appeal has been preferred after delay of 158 days. However, keeping in view the fact that the lockdown was imposed on 23<sup>rd</sup> March, 2020 by which date only 30 days had elapsed, the delay, if any, in preferring the appeal is condoned. I.A. No.2567 of 2020 stands disposed of.

The issue raised in this appeal against dismissal of application of Appellant- 'Operational Creditor' under Section 9 of the 'I&B Code' at the hands of Adjudicating Authority (National Company Law Tribunal) is that the impugned order is unsustainable inasmuch as there is admission of liability on the part of the Corporate Debtor in reply to demand notice.

Issue notice upon Respondents. Appellant to provide mobile Nos./ e-mail address of the Respondents. Notice be issued through e-mail or any other available mode. Requisites along with process fee be filed within three days.

Contd/-.....

List the appeal on 10<sup>th</sup> December, 2020.

**[Justice Bansi Lal Bhat]  
Acting Chairperson**

**[Justice Jarat Kumar Jain]  
Member (Judicial)**

**[Kanthi Narahari]  
Member (Technical)**

*AR/g*